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The Balance, AND COLUMBIAN REPOSITORY.

" HAIL SACRED POLITY, BY FREEDOM REAR'D !
" HAIL SACRED FREEDOM, WHEN BY LAW RESTRAIN'D !"
BEATTIE.

HUDSON, (New-York) TUESDAY, January 24, 1804.

Original.

Hither the products of your closet-labors bring,
Enrich our columns, and instruct mankind.

FOR THE BALANCE.

POLITICAL CATECHISM.

Being a sketch of what might, on a matured plan, be taught in Schools, and also, by Heads of Families, to Youth and Children.

(CONTINUED.)

WHICH *are the principal departments of Government ?*

They are the Legiſlative, Executive, and Judicial departments.

What are their ſeveral provinces ?

To the Legiſlative belongs the buſineſs of legiſlation, or the enacting of laws for the government of the State ; to the Executive, that of carrying into effect the meaſures adopted by the Legiſlature, for the general defence and ſafety, with principal reference to foreign relations ; to the Judicial, that of interpreting the laws, and diſpenſing juſtice to the citizens and others who may be parties in ſuits.—But the various powers of government are variouſly diſtributed in ſmaller matters, among the ſeveral departments.

What are the principal forms of government ?

They are thoſe which are exerciſed by *one*, by *the few*, or by *the many*, and the various combinations of theſe ; the firſt is called monarchy ; the ſecond, ariſtocracy ; and the third, democracy. Thoſe governments which are exerciſed by a repreſentative body, obtain the name of Republics.

What may be eſteemed the beſt form of government ?

That is the beſt form which, in a given caſe, ſhall enſure the beſt adminiſtration ; or ſhall draw into exerciſe the moſt wiſdom, virtue and power. But no form of government is the beſt for all nations, or, at all times, for any one nation.

What principles are neceſſary to ſupport Republican freedom ?

Intelligence and virtue in the maſs of the people. Intelligence to diſcern, and virtue to chooſe, wiſe and good men for public employment. This is the baſis on which reſts the whole fabric of Republican Freedom.

What is intended by virtue as applied to this ſubject ?

By virtue is intended that temper which prefers the public intereſt, when ſeen, to any private intereſt ; or, at leaſt, to any which will preſent itſelf, in the ordinary courſe of events.

Is not this the ſame as true religion ?

It is either true religion, or that reſpect for it, which, in the uſual ſtate of things, governs the external conduct.

Will this external reſpect for religion make thoſe, who poſſeſs no higher principle, true to the public intereſt, in all events ?

It will not ; all ſuch men will have their price ; but, in a ſettled ſtate of things, that price will ſeldom be offered.

Will not virtue in its proper ſenſe, ſecure the fidelity of thoſe who poſſeſs it, to the intereſt of the State ?

It will, in their main courſe ; ſtill, the force of ſudden temptation may cauſe them, for a time, to ſwerve from the line of duty.

Does not external reſpect for wiſe and virtuous men imply the reality and prevailing influence of true religion, in a State or nation ?

It does ; and this may ſecure important bleſſings to the State, by ſecuring the bleſſings of heaven.

What are the means proper to form a people of this character ?

The inſtitution of the youth in colleges, or in common ſchools, the ſupport of the public worſhip of God, the prompt execution of the laws of the State, and the diffuſion of information among the people from the preſs, are among the principal means of this.

Is it not important that heads of families, ſchools and colleges, inſtruct the youth under their care, in the principles of government, and inculcate the duties which they owe to it as citizens ?

It is ; and much improvement might be made in the education of the youth, in this reſpect, and our critical ſituation, as a nation, demands particular attention to this ſubject.

Is the public worſhip of God eſſential to the well being of the State ?

It is ; the love and fear of God, the common father and ſaviour of men are promoted by it, and theſe are the grand cement of ſociety.

The reaſon if you pleaſe ?

The reaſon is this : that the love and fear of God are a principle of juſtice and good will to men, who are the offſpring

of God; and juſtice and good will, become general, muſt, from their nature, make ſociety happy.

Are not the objects of religion and of policy, in a great meaſure, diſtinct?

Their object is the ſame, the latter is a hand-maid to the former.

How does this appear?

It appears from hence, that both are divine inſtitutions, that both are deſigned to promote the honor of God and the happineſs of men, and that we are bound to pray for Kings and all in authority *to the end* that we may lead a quiet and peaceable life in all *godlineſs* and honeſty.

(TO BE CONTINUED.)

Selected.

FROM THE ULSTER GAZETTE.

A PRACTICAL comment on the republican doctrine of turning capable and faithful men out of office, to make way for needy partizans, may be found in the office of the clerk of the diſtrict court at New-York. It will be remembered, that when Congreſs were voting between Jefferſon and Burr, Edward Livingſton remained obſtinate for the former. This excited ſome ſurpriſe; as it had been pretty generally given out by the Cheethamites that he was Mr. Burr's "*confidential friend*"—and if Mr. Burr was really intriguing for the preſidency, and Capt. Cheetham has written *nine letters* to prove it—and if Mr. Livingſton was really his confidential friend in this intrigue; and the ſame captain is ready to ſwear it, the ſimple ones will hardly be able to ſatisfy themſelves, how it came to paſs, that Col. Burr was deſerted "at his utmoſt need," by this ſame "confidential friend"—While the knowing ones, always puffed up with ſelfconceit, tickle themſelves with the idea, that in the ſubſequent appointment of Mr. Livingſton, to be diſtrict attorney, in the place of Mr. Harriſon, and of the late chancellor, his brother, to be miniſter to France, they ſee a ſolution of the whole myſtery—and theſe fellows, with a ſignificant ſhrug and malicious ſneer, inſinuate that "*the labourer is worthy of his hire.*" Theſe are topics however too deep for us—they belong to that ſpecies of cabinet ſecrets, which will probably never come to light, till at leaſt five or ſix pamphlets more ſhall be publiſhed by the friends of the people againſt each other. We are aware, that your long-vitaged democratic puritans will ſay that the removal of Mr. Harriſon and ſuch like men was neceſſary, in order thoroughly to cleanſe all the departments of federal ariſtocratic corruption, ſo that republican economy might be manifeſted every where—and nothing be wanted to a complete *reform*. We have heard this argument a hundred times—and how can it be anſwered? Why the proof of the pudding is in the eating of it, and ſo we have a ſtory to tell, tho' we muſt caution the reader, particularly if he is a democrat, not to believe one word of it, but to ſwear roundly that "it is a curſed *federal lie.*" Nevertheleſs we will tell the ſtory, if it is only for paſtime. Now we entreat you not to believe one ſingle iota of it. The United States never loſt a cent by Mr. Harriſon the former diſtrict attorney, but then he was a federaliſt, a rank federaliſt—as honeſt a man, otherways to be ſure, as ever broke bread, and as clever, otherways, bleſs me, as the day is long in ſummer—but then the blockhead was ſo ſtupid, that in ſpite of all the beautiful republican ſermons he heard, he would be a federaliſt—and yet in every *other* reſpect, he was a very ſenſible man! Now is not that ſtrange? And then in the buſineſs of his office in particular, why nobody ever found any fault with him—and yet he was a federaliſt. "'Tis ſtrange, 'tis paſſing ſtrange!" Well his crime was not to be forgiven, eſpecially by ſuch a philoſopher, ſuch a friend to the liberty of ſentiment, as our philanthropic Jefferſon. Now that is not ſtrange at all—is it? So of courſe away went Mr. Harriſon with all the reſt of the federal rubbiſh. Served him right enough, exclaims every blowbladder of democracy. And now the honorable Edward Livingſton, Eſquire—the hero of republicaniſm—he who made ſuch fine ſpeeches againſt the Britiſh Treaty, and the Sedition Law, and the Alien Law, and all ſuch ruinous things. Oh, it would have done your heart good to have heard him. He who could not ſpeak three words without fainting with apprehenſion for *the rights of the people.*—Ah! he was a *genuine* republican! He who could not bear the idea of high ſalaries, and the dreadful waſte of public money under the ſquandering Adams adminiſtration—Yes, this faireſt bud in the tree of Liberty—in plain Engliſh, Edward Livingſton became diſtrict attorney. And now we come to the *lie.* This ſame republican has lately been obliged to confeſs judgment to the United States for *one hundred thouſand dollars!* Now reader, is not this as curſed a *federal lie* as ever was told? and a republican too—a friend of the people; and more than all that a friend of ECONOMY. 'Tis impoſſible, 'tis an abominable *federal lie.* Well, well, my honeſt democrat you may ſee the judgment entered upon record in New-York, in the clerk's office of the diſtrict court. Do you believe it now? No, I don't—'tis a d——d federal lie—and even if it is true I don't care, we might rather loſe a hundred thouſand dollars every two years, than have a raſcally, unprincipled federal ariſtocratic tory ſon of a b——h in office. Now did you ever hear the like? Well there is no reaſoning with theſe democrats.

Editor's Closet.

"IS HE HONEST?"

We are extremely ſorry to inform our readers that the Hartford democrat, Joſeph Hart, who has lately been "caught tripping"—that is, who has had the misfortune to commit a forgery for something less than $100,000 on the Middletown bank, proves to be a man of ſuch high ſtanding, that we have risqued an indictment, by publiſhing the paragraph in our laſt concerning him. People who do not perfectly underſtand the nature of the common law, may require an explanation. The common law provides, that if any perſon publiſh aught againſt a public officer (if true, ſo much the worſe) tending to bring him into diſgrace or diſrepute, he ſhall be puniſhed, &c.—Now, this Joſeph Hart was one of Mr. Jefferſon's Commiſſioners of Bankruptcy—conſequently he was a public officer. He committed the forgery as was mentioned laſt week. We publiſhed the fact, not even ſuſpecting that he was a *public officer*; for, if we had entertained the leaſt ſuſpicion of this, the maxim, "the greater the truth, the greater the libel," would have reſtrained us from publiſhing any thing that would tend to bring him, or the man who appointed him, into contempt or diſgrace. However, the deed is done—and if another grand-jury can be ſcraped together, in the county of Columbia, ſufficiently *republican* to indict us for it, we ſhall be very careful in future, when we ſee an advertiſement out for a *very honeſt* gentleman, to enquire, before we give it publicity, whether he is not a republican commiſſioner of bankruptcy, or a diſtrict attorney.

The editor of the *Ulſter Gazette* is informed, that HARRY CROSWELL has not yet forgotten "that there is ſuch a thing as the common law—and a gaol in almoſt every county." The editor aforeſaid, is alſo informed, that H. Croſwell is not diſpoſed to "make light of theſe matters," nor has time "made him familiar with terrors." But does the editor of the Ulſter Gazette ſuppoſe that H. Croſwell will ever ſo far gratify his enemies, as to ſhrink from his duty, on the approach of danger?—that he will quit the deck of his little bark, and ſkulk below, becauſe the tempeſts howl, & the ſkie lower; or becauſe he obſerves *pirates bearing down upon him?*—If he does, he is miſtaken. If H. Croſwell is doomed to deſtruction—if ruin overtakes him—his enemies ſhall not derive much conſolation from the manner in which he meets his fate. "But we will talk more about that when we meet at Albany in February."

The *Barometer* editor acknowledges "a *cloud* of communications;" but he does not tell when they will deſcend in *rain* upon his readers.

We lately received a paper from Boston, with the appropriate title of *The Democrat* edited by a foreigner who assumes the name of ANTHONY PASQUIN. On examining the paper, we thought it too contemptible to deserve animadversion, and were therefore about to pass it in silence, when, taking up the *National Aegis*, we found that ANTHONY had received a very *handsome dressing* from the hand of a *brother democrat*, in the following form, (to wit.)

Anthony Pasquin, alias John Williams.—It is with sincere and unfeigned regret, that we see this foreign renegado seeking an establishment, and finding encouragement among us. After having *run* the gauntlet in Europe, after having *run* down his reputation and fortune in his own country, after having *run* away from merited chastisement beyond the Atlantic, he is now attempting to *run* himself into consequence, with the administration, by *running* down the characters of all who formerly conducted the affairs of our Nation. In pursuance of this plan, he issued at Boston, on the 4th instant, the first number of a Semi-weekly paper, to which he has given the title of the "*Democrat*,"—This paper we understand, grows out of the "*Gazetteer*," which was begotton by the "*Telegraph*," During the period of its *last* transformation, it was conducted with *decency*, and by *native Americans*, and we are sincerely sorry to find it has fallen into the hands of a *hireling* scribbler, who (if we know him rightly) has neither talents, nor morals, nor manners.

We have seen, an empty and ostentatious gasconade in the first number of *his* "DEMOCRAT" which he pompously entitles, a "DECLARATION *to the Good People, inhabiting the Eastern States.*" As a specimen of his nauseous and insufferable impudence, we cannot forbear to present to our *Democratic Brethren*, the following extract. After remarking upon the *Alien* and *Sedition* Bills (which we are almost tempted to wish were still in force, that he might meet his merited punishment, or be driven with disgrace from the country) he adds; "These severe proceedings were followed, by the establishment of a STANDING ARMY, the introduction of the elements of a SINKING FUND! and the palpable delivery of *Jonathan Robbins* to a British Gibbet; but in this act of mean barbarity, the talisman of delusion was broken—the nerve of horror vibrated from Maine, to Georgia, and JOHN ADAMS felt that he had signed the death warrant of his own dignity, when it was too late to recede from the malefaction. He is now "shorn of his beams," in meditation and in trouble, and should be permitted to descend to oblivion in peace; while he sheds floods of tears over the pages of Davila; pages more ominous to the faction than the Sybils leaves. Let Goody *Pickering*, gather up the flood as *Lachrymæ Johanni*, to be deposited by *Pitt* and *Cobbett* in the British Museum—and while he is encircled in his final bed, by an enraged and convulsive aristocracy, may Hope whisper comfort to his wounded spirit, as Repentance is covering him with sackcloth and ashes!"

And has it then come to this—that every strolling adventurer, who, in the *elegant* language of PASQUIN, has "*scudded* from a royal tyrant," is to gain credit and currency among us by arraigning without discrimination, the moment he has put his foot upon our shores, the motives and conduct of those whom we have *once* been accustomed to respect?

We have already enough, in all conscience, of these imported patriots among us. We want no more *Pasquins* or *Pasquinades*, to cherish the flame of discord, or to keep alive the spirit of resentment.

My much respected friend, who occasionally favors me with his correspondence, will, I hope, pardon the liberty I have taken in publishing the following extracts from one of his late letters. I so seldom witness any thing like candor or liberality in my political opponents, that I look upon the writer of these letters, as a diamond, of sterling value, found among a mass of *glass beads* and *gilded trinkets*. I shall feel extremely thankful for communications from the same hand, either for publication or for private use.

THE EXTRACTS.

"Mr. ——— is a good republican; but I do not believe he is enrolled with any "sect"—certain I am, that he is not in the livery or cabal of any demagogue, foreign or indigenous. He is an upright, useful citizen: he is not ashamed to ask a blessing before every meal, nor is he so fashionable as to omit giving thanks after one. He is chief scrivner and sole surveyor to his neighbors: and, without his aid, they would be as much at a loss as the primitive Egyptains, after an inundation of the Nile—not knowing where to fence or sow. Our Goldsmith has hit him off precisely, in his schoolmaster of "the Deserted Village;" and, when placed near his circumferentor; I have often applied to him these lines of that Poem:—

"The village all declar'd how much he knew;
'Twas certain he could write, and cypher too:
Lands he could measure, terms and tides presage,
And e'en the story ran—that he could guage.
In arguing, too, the Doctor, own'd his skill,
For e'en when vanquish'd he could ague still—
While words of learned length, and thund'ring sound,
Amaz'd the gazing rustics rang'd around;
And still they gaz'd, and still the wonder grew,
That one small head could carry all he knew."

"I, who do not accord with you in opinion, very often admire even your censure of two or three great men whom I esteem—for (with John Jay and Alexander Hamilton) Thomas Jefferson and James Madison are my particular favorites: I do not mean *Governor* John, *General* Alexander, *President* Thomas, and Mr. *Secretary* James, as I know nothing about the *late acts* of those *public officers*; but I mean those great men and early patriots whom I have long venerated, and hope long to have cause to venerate."—

"I shall continue a reader as long as you are permitted to be the editor of a paper; which I trust will be as long as I live—God forbid that I should survive the freedom and reputation of my country!"

"P. S. Don't tell "the Captain" I am going to Hudson, for it would be uncivil to decline serving under a brother democrat, and yet I could not enlist for some time to come. as I have so lately re-perused Mr. Addison's "Cato," that it will require several months to chace his abominable hint from my mind:—

"When vice prevails, and impious men bear sway,
The post of honor is a private station."

CAPTAIN CHEETHAM'S ARITHMETIC.

In an address to the "subscribers to the Watch-Tower" which has been published by Cheetham two or three months, we observe the following curious blunder:—

"800 subscribers, owing on an average 4 dollars each, withhold from the editor 4200 dollars"!!!

IMPROVED SPELLING.

A packet of letters lately passed through the post-office in this town, for *Poughkeepsie*—but the person who directed them, it seems, scorned to follow that old and tedious mode of spelling, and, therefore, more concisely wrote, "PEKIPSY."

If Mitchell will convince us that he ought to have his curiosity satisfied with respect to the late arrangements in the Balance-Office, he shall be attended to—otherwise, he must be contented with what he already "knows of the matter."

The *New-York Commercial Advertiser* is enlarged to a size superior to any paper we have ever seen. The quality of the paper, the beauty of the type, and the accuracy of the workmanship, we believe, are not excelled. Our readers are well acquainted with the *character* of the paper. This character is ably supported by the present editor.

COMPLIMENT.

The Utica *sixty-dollar-democrat*, tells Barber and Holt to tremble, because *rogues* and *fools* are frequently to be mentioned in the Balance.

☞ TO READERS.

[Our anxiety to conclude Mr. Tracy's excellent Speech, induces us to occupy those departments with it (for this and the ensuing week) which are generally devoted to other topics.

Edit. Bal.]

Columbian Eloquence.

Mr. TRACY's SPEECH,

IN THE SENATE OF THE UNITED STATES,

Friday, December 2, 1803,

ON THE PASSAGE OF THE AMENDMENT TO THE CONSTITUTION.

[CONTINUED.]

At the laſt election of Preſident two perſons had an equal number of votes, and that number was a majority of the votes of all the electors appointed, which circumſtance gave the houſe of repreſentatives a conſtitutional right to ſelect one of them for Preſident. In exerciſing this conſtitutional right, they voted by ſtates, and there was at firſt a diviſion, no choice being made until the ſixth day; when an election was effected, of the very man whom the great ſtates, and the advocates of this reſolution, wiſhed.

It ought to be noted here, that although they voted by ſtates, yet it happened, in this diviſion, that a majority, in point of numbers, voted for the perſon Preſident, who eventually became Vice-Preſident. As to intrigue, by either of the candidates, or by their friends, I know of none; the ſentiments and conduct of the Vice-Preſident, as publiſhed, were perfectly fair and honorable, containing a declaration of his wiſhes not to ſtand in the way of the other candidate.

After the view of the conſtitution which we have taken, and comparing theſe facts, with the proviſions for electing a Preſident, we ſhall really be at a loſs to find out the mighty evil, which the experience of this election has diſcovered, and which is ſaid to call ſo imperiouſly for a remedy. But the advocates of this reſolution have had the goodneſs to put their finger on the ſpot. They ſay, that in the certificates of the electors, Mr. Jefferſon's name ſtood firſt; this is called a ſort of record teſtimony, and in addition, ſome, if not all the electors, ſaid they meant to elect Mr. Jefferſon Preſident, and Mr. Burr Vice-Preſident; and this is declared to be the *public will*, expreſſed by the conſtitutional organ, the electors. Notwithſtanding this expreſſion of the *public will*, ſay the gentlemen, a large portion of the houſe of repreſentatives withſtood and oppoſed the *public will*, for the ſpace of ſix days, and wilfully voted for the man to be Preſident, who, they knew by the evidence juſt mentioned, was meant to be Vice-Preſident only. One gentleman (Mr. Wright) has ſaid, that if he had been then a member of that houſe, poſſeſſing ſuch ſentiments upon the ſubject, as he now does; ſuch voting would in him have amounted to the crime of perjury, or words to the ſame effect; I mean to quote his ideas, as expreſſed, and believe I have given nearly his very words.

And it is added, that thus there was imminent danger of a perſon being impoſed upon by the United States as chief magiſtrate, who was not originally intended for that high office, and that *civil war muſt have been the conſequence.* And, as is common in ſuch caſes, the picture is filled, in the back ground, with brother raiſing his murderous hand againſt brother, father againſt ſon, and with an afflicting group of etceteras: and to avoid a repetition of this *tremendous trifle*, as it is called, the preſent reſolution, it is ſaid, muſt paſs.

Let this ſtatement of facts be kept in view, while we examine the duties aſſigned by the conſtitution to the ſeveral agents concerned. The duty of the electors is preciſely defined. They are each to bring forward two candidates fully qualified for Preſident, becauſe they cannot know at the time of giving their ballots, upon which the choice will fall. The circumſtance of two having a majority, and both being equal in number of votes, is an expreſſion, of the *public will*, through the only conſtitutional organ, by which, in this caſe, the *public will* can be expreſſed, that both had the requiſite qualifications. The public will, then, was in this inſtance clearly and unequivocally expreſſed, by a conſtitutional, and a numerical majority, that both candidates were worthy of the office; but here the expreſſion of the public will ceaſed, and which of theſe two ſhould be the Preſident, was now to be decided by another conſtitutional organ, that is, by the houſe of repreſentatives voting by ſtates.

The framers of the conſtitution ſo intended, and the people who adopted it have ſo ordained, that *their will* in this caſe ſhould be expreſſed by a majority of the ſtates, acting by their repreſentation in the houſe of repreſentatives. This right of ſelection, is a right complete in itſelf, to be exerciſed by theſe ſecond electors; uninfluenced by any extraneous conſideration, and governed only by their own ſenſe of propriety and rectitude. The opinion of the people had been, expreſſed, by the electors, but it only reached a certain point, and then was totally ſilent as to which of the two ſhould be Preſident, any their ſenſe upon this point could only be collected, through their conſtitutional organ, the houſe of repreſentatives, voting by ſtates. Any interference of the firſt electors, or of an individual or individuals, muſt be informal and improper. The advice of ſenſible and candid men, as in every other caſe, might be uſeful; but could have no binding force whatever. The firſt electors had no right to chooſe a Vice-Preſident. To claim it was overſtepping their duty, and arrogating to themſelves a power, not given, nor meant to be given to them by the conſtitution.

If there is any thing in this whole tranſaction, which has the moſt diſtant appearance of a breach of duty, it was in the electors, by attempting to deſignate, and by exerciſing the important office of an elector, under the influence of improper motives; that is, by officiouſly attempting to decide the queſtion, which of the two perſons was proper for Vice-Preſident, which they were conſtitutionally incompetent to decide. By this conduct they attempted to break down an important guard provided by the conſtitution, and improperly to releaſe themſelves from its obligations, which made it their duty to ſelect two men qualified to be Preſident. But if there can be a ſhadow of reaſon in this claim of the electors, to deſignate under the preſent conſtitutional regulations, of which, to doubt, ſeems to be ſo heinous, what neceſſity can there be for this amendment? The object of the amendment, or certainly its chief object is to eſtabliſh the deſignating principle; but why this, if it can already be effected by the ſimple mode of placing one name firſt on the ballot, which is ſo eaſy to be done, that it can ſcarcely be avoided? And if done, by the doctrine of gentlemen, it is ſo far binding on the houſe of repreſentatives that if they even doubt, they are damned?

The fact certainly was, that at the laſt election, the great ſtates brought forward the two candidates; they were both of the ſame political ſentiments; this, they had a conſtitutional right to do; but it now ſeems that their language to the ſmall ſtates was; "becauſe you will not give up your conſtitutional rights to us, and let us go on and deſignate, we will ſtir up a civil war, and lay the blame to you. And of this improper conduct of ours we will take the advantage, and obtain an alteration of the conſtitution, which will hereafter gratify us in every reſpect." A gentleman from Maryland (Mr. Smith,) has ſaid, that he heard, though he could not prove it, that the federal majority at the time of the laſt election, contemplated making a law, authorizing or appointing ſome perſon to act as Preſident, in caſe no choice had been made by the houſe of repreſentatives. I was then, ſir, a member of the government, and know nothing of ſuch a project, it might have been ſo, but ſup-

poſing it was, what then? Why ſays the gentleman, the perſon thus appointed could not have kept his head on his ſhoulders 24 hours: and this would have made a civil war. If the majority now ſhould contemplate a meaſure, which the conſtitution does not authorize, as it clearly did not authorize the meaſure ſuſpected by the gentleman, though he cannot prove it; the beſt thing in the world for them to do, would be to give it up, without any attempt to effect it, as it ſeems the federal majority did. But what argument all this can afford in favor of the amendment, or why it was mentioned, in this debate, is beyond my comprehenſion. In the reſult of the laſt election, the great ſtates and the ruling political party, were certainly gratified, and there does not appear the leaſt reaſonable ground of complaint againſt the ſmall ſtates, in the uſe of their conſtitutional rights on the occaſion. All ſupport therefore to the amendment, drawn from that tranſaction, muſt fail.

I have ſaid, that the article fixing the mode of electing a chief magiſtrate was, from its nature, attended with many difficulties. A more ſtrict inquiry into the conſtitutional mode, and a compariſon of it, in ſome other and more particular points, with the propoſed alteration, will be uſeful in forming an opinion of their relative merits.

As the conſtitution ſtands, each elector is to write the names of two perſons on a piece of paper, called a ballot. Either of the two perſons thus voted for may be the Preſident, and the elector cannot know which; this affords the moſt powerful inducement to vote for two, both of whom are qualified for the very important office. For it is not only uncertain upon whom the choice will fall at firſt, but the one remaining, will certainly be Preſident, upon any contingency which ſhall remove or incapacitate the firſt. The convention ſeem to have ſelected a mode of proceeding the moſt ſimple, the leaſt liable to accident, and the beſt calculated to enſure the main object, that is, that both ſhould be really worthy of the truſt. If one candidate wiſhes to make intereſt with the electors, as each muſt vote for two, it will be impoſſible for bribery or intrigue to ſucceed; for, without corrupting the whole or certainly many more than half, he may be defeated by the other candidate on the ballot. This is, perhaps, the moſt effectual bar to intrigue, that was ever contrived; for, unleſs all, or a great proportion of the electors are corrupted, an extreme caſe of depravity not probable in any country, intrigue can have no aſſurance of ſucceſs. The danger and difficulty, which muſt always attend ſuch an important election, as that of chief magiſtrate of the United States, was meant to be avoided, by diminiſhing the chances of its frequent recurrence. So two perſons are placed in a condition to act as Preſident in ſucceſſion, to prevent both the evils, of a vacancy, and of a recurrence of choice more frequently than once in four years. And it ſeems merely incidental to this ſecond perſon, to be called Vice-Preſident, and neither the firſt nor ſecond deſcription of electors can have any right to vote for him as ſuch, indeed he can have no exiſtence till the firſt character is deſignated and then ſeems to be diſcovered, not elected. The Senate, in caſe of an equal number of votes for two or more remaining perſons, after the Preſident is elected, are veſted with authority to chooſe a Vice-Preſident, for as ſuch he is to preſide over this body, and this body therefore ſeems to be the only conſtitutional organ to deſignate him. Both the other deſcriptions of electors have nothing to do with ſuch a character or office; but are confined to act with a ſingle reference to the character and office of Preſident; and are truſted with no power to give any opinion of the character or qualifications of a Vice-Preſident. And it is remarkable, that there are no appropriate qualifications made neceſſary by the conſtitution, for a Vice-Preſident; but every qualification has reference to Preſident. There is another important feature in this part of the conſtitution. It was known by the convention, that in this country, in common with all others, where there is freedom of opinion and of ſpeech, there would be parties. They likewiſe knew, that the intolerance of the major, or ruling ſect and political party, was frequently exerciſed upon the minor party; and that the rights of the minority ought to be protected to them.

As well then, to ſecure the rights of the minority, as to check the intolerance of the majority, they placed the majority in jeopardy, if they ſhould attempt at graſping all the benefits of a Preſident and Vice-Preſident within themſelves, to the total excluſion of the minority. This very caſe which happened at the laſt election was contemplated, in which the majority attempted totally to exclude the minority from any participation. The language of the conſtitution to ſuch majorities is, "take care that you aim not at too much, for if you do, it is put into the power of the minority to check you, and by a judicious diſpoſition of their few votes, determine the choice of Preſident." To avoid this event the majority will probably be cautious in the exerciſe of power; and thus the rights, the proper weight and influence of a minority are ſecured againſt the conduct of the majority, which is certainly liable to be intolerant and oppreſſive. In this reſpect the ſpirit of the conſtitution is, political moderation. And it is clear to my mind, that the experience of the laſt election has taught a leſſon to all majorities, which will in future completely ſecure them from again incurring a ſimilar riſk. I recollect well, that it was thought probably, when the electoral votes were given, that Mr. Burr would have a vote or two, in ſome of the eaſtern ſtates. If he had received but one, he would have been by an electoral choice, the conſtitutional Preſident. If the majority in future have the powers of recollection, they will undoubtedly avoid the evil, if it is one, which happened at the laſt election, with ſuch unfailing certainty, that there will be no need of the remedy propoſed by the amendment. But the majority ſay, if their votes are ſo ſcattered for one candidate as to avoid this danger, that another will be incurred; and that is, the minority will elect a Vice-Preſident. The language of the conſtitution to them, is again, "that this was meant as a ſecurity for the minority againſt the majority." But the majority exclaim againſt both theſe proviſions, as very unreaſonable indeed; "what," ſay they, "are minorities to govern majorities?"—The anſwer of the conſtitution is "no, but their due weight and influence ſhall be ſecured to them, and the danger of your intolerance guarded againſt." For the ſecurity of ſmall ſtates and minorities, there is, in the conſtitution a mixture of the federative with the popular principles. And as it is well known that, when popular majorities alone prevail, and exerciſe power uncontrolled by conſtitutional checks, the minorities, who generally poſſeſs their proportion of integrity and virtue, are overwhelmed, and liberty itſelf, by the ſame means, deſtroyed; ſo it is in kindneſs to both parties, to the country and to humanity, that theſe wholeſome checks are conſtitutionally provided. Had the majority, or the great ſtates been willing, fairly to have ſubmitted to the conſtitutional checks in the laſt election, no evil could have happened. And it is remarkable that the conſtitution completely protects them, as long as they obey its precepts, in the creation of which they had an agency and to which they have ſolemnly agreed. To prove that I am correct in theſe ideas, I not only refer to the conſtitution but to the ſecretary of ſtate (Mr. Madiſon.) In the Virginia debates, vol. 1. page 96, he ſays, "But on a candid examination of hiſtory, we ſhall find that turbulence, violence and abuſe of power, by the *majority trampling on the rights of the minority*, have produced factions and commotions which, in republics, have more frequently than any other cauſe produced deſpotiſm. If we go over the whole hiſtory of ancient and modern republics, we ſhall find their deſtruction to have gen-

erally resulted from those causes. If we consider the peculiar situation of the United States, and what are the sources of that diversity of sentiment which pervades its inhabitants, we shall find great danger that the same causes may terminate here, in the same fatal effects, which they produced in those republics. This danger ought to be wisely guarded against: Perhaps, in the progress of this discussion it will appear, that the only possible remedy for those evils, and means of preserving and protecting the principles of republicanism, will be found in that very system, which is now exclaimed against as the parent of oppression."

[TO BE CONTINUED.]

Be it our weekly task,
To note the passing tidings of the times.

Hudson, *January* 24, 1804.

PROGRESS OF JACOBINISM.

We have long been sensible that democracy could never completely triumph in this country, until it could bend the judiciary to its will. We have, therefore, viewed with regret, every attempt that has been made to effect this object. The destruction of the circuit courts was a prelude to measures, which were intended eventually to level the judiciary in the dust. By the following, the reader will see how rapidly the *good work* progresses:

Extract of a letter from a gentleman at Washington, to his friend in Hudson, dated Jan. 5, 1804.

"A Resolution was this day introduced (in the house of representatives) by Mr. J. Randolph, purporting that "a committee be appointed to enquire into the official conduct of *Samuel Chase*, a Judge of the Supreme Court of the United States, and to report whether he has so conducted himself as to require the interposition of the constitutional powers of this house," or words to this effect. As no previous notice of this resolution had been given, a motion to postpone the consideration of it until to-morrow, was made and opposed with much warmth. It was observed, that it was a novel and unprecedented measure, as no charges had been made on which an impeachment could be founded. Mr. Randolph replied, that it was partly in consequence of certain expressions which fell from Mr. Smilie at the last session of Congress, and other reasons which he did not think proper to divulge. Mr. Clay, of Pennsylvania, did not think it necessary to mention facts, in order to raise the committee; it was a right the house possessed; the independence of the judiciary, he thought, had been carried too far, and hoped that no charges would at present be made. Mr. R. Griswold observed, that to him the procedure was new and unprecedented—heretofore impeachments had been grounded on affidavits or some kind of evidence—none had been advanced by any person as coming within his own knowledge. The Court had only decided, in the case alluded to by Smilie, on a point of law, and would not permit counsel to argue a case which had been decided. There ought to be good reasons given for the step we were about to take, as it amounted to an act of censure; besides, is it certain the committee will enquire into all the facts, or only such as they may think expedient? Mr. Randolph would not consent to postpone the question, and likened the house to a grand jury, whose power it possessed. Mr. Dennis said we were about to institute an *inquisitorial committee*, for the purpose of *searching* for facts and not to *enquire* into them. He wished to know, as it was the act of the court to which Smilie referred, (at the trial of Fries) how it happened that the other judges were not also implicated. He said there was no precedent for establishing an inquisitorial committee. Mr. Elliot thought we would establish a very dangerous precedent, which would authorise any member, in the same way, to enquire into the conduct of the President. He asked Mr. Randolph, who said the house possessed the power of a grand-jury, whether he ever heard that a grand-jury had appointed an inquisitorial committee to search for evidence; and whether a certain degree of evidence was not always before them to justify an indictment? Mr. Huger hoped that at least gentlemen would consent to clear the galleries, and suffer the charges to be brought forward, that every member might judge for himself, and not rely on the report of a committee, when the character of an important officer was in question. Mr. J. W. Campbell was not willing to censure before he was convinced it was merited. Mr. Mott said, only one gentleman appeared satisfied and acquainted with the charges against Judge Chase, and he tho't they ought to be laid before the house, previous to the appointment of the committee. Mr. Randolph said he had sufficient grounds for the resolution he offered, which he did not think proper then to mention—his motives were best known to himself—he desired to know whether Judges might commit any act, without being subject to an enquiry—he was doing his duty, without being under the influence of party motives.

"It being late, the house then adjourned. You will perceive the object and tendency of the above resolution. The debate was conducted with some warmth."

On the further consideration of Mr. Randolph's resolution, a motion was made by Dr. Leib, to amend it, so as to include Richard Peters, district judge of Pennsylvania, and carried 72 to 37.

The following particulars are contained in a letter from Washington to a gentleman in Baltimore, dated 10th Jan. 1804.

"I wrote you on Thursday last respecting Mr. Randolph's motion for a committee to enquire into the official conduct of Judge Chase. I attended at the house of representatives on Friday and Saturday last." "On Saturday afternoon the debate closed—the discussion was warm and animated. Griswold, Dana, Dennis, Griffin, Huger, Lowndes, Thatcher, and Elliot, opposed to Randolph, Nicholson, and other minor democratic Jeffersonians, and among them Eppes, son-in-law of the President, who accused Judge Chase of tyrannical and oppressive conduct in the trial of Callender. The Judge's behavior in the trial of Cooper was greatly reprobated and strongly condemned." On the division of the house, 80 members voted in favor of the resolution as amended, and 40 against it. Yesterday the committee of enquiry was appointed, and consists of 7 members, to wit: Messrs. J. Randolph, Nicholson, Early, J. Clay, Boyle, R. Griswold, and Huger."

"It is a fact universally known in this city and Virginia, that Mr. Giles often threatened to impeach Judge Chase; and that in a large company he pledged himself to bring forward the impeachment, if he could obtain papers in time from Richmond. It is also asserted by gentlemen of veracity, that Mr. Giles declared "that if he had remained a member, he would have impeached the *three Judges*, Chase, Patterson, and Washington."

In the house of representatives, Jan. 10, on motion of Mr. J. Randolph, resolved that the committee appointed to enquire into the official conduct of Samuel Chase and Richard Peters, be empowered to send for persons, papers and records.

The NATIONAL ÆGIS, a democratic print, gives the following article, under the head of

STATE OF NEW-YORK.

This large and wealthy and reſpectable portion of our Continent, ſeems to be deſtined to endure ſomething more than its portion of natural and political evil. Her Capital is periodically ſcourged, by the dreadful viſitations of diſeaſe and death—Her tranquility is perpetually diſturbed, by all the angry and malignant paſſions, which ſpring from the untractable ſpirit of party. Never, in any part of Our Country, has the fire of faction raged with ſuch ungovernable fury. The Goddeſs of diſcord holds the fluctuating balance, and malignantly ſmiles at its perpetual vibration. —She waves her torch on high, and the fire of reſentment is kindled. In its deſtructive progreſs, it conſumes every moral principle and every ſocial feeling,—It ſeizes on domeſtic enjoyment and it is deſtroyed in the dreadful conflagration. It touches the ties of friendſhip, conſanguinity, and they are broken aſunder like threads of tow. The picture is not too highly colored—Every day brings forth ſome new incentive to wrath, and mingles new gall and wormwood in the bitter cup of reſentment. It is not a contention upon a ſpeculative theory, or an effort for any practical experiment in politics. It is a deep rooted and inveterate quarrel, between two rival factions, fighting for power and ſtruggling to be uppermoſt.—It is the Red Roſe and the White. It is York and Lancaſter.—It is the Montagues and the Capulets.—Thoſe who cry for peace and there is no peace, may well exclaim, with *Mercutio*,

"*A plague o' both your houſes !*"

In Maſſachuſetts, it gives us much pleaſure to remark, the violence of party ſpirit has abated, and the fever of political reſentment is rapidly ſubſiding.

A letter from an officer in the American ſquadron at Gibraltar, ſays, "For the adjuſtment of the recent affair with Morocco, our Commodore had an interview with the Emperor at Tangiers. The latter attended at the place with great pomp, guarded by 16,000 cavalry, and 5000 foot ſoldiers. Our ſquadron were arranged in order to bombard the town in caſe war ſhould be determined on. On the Commodore's proceeding on ſhore he was ſaluted by the guns of the three frigates and the ſmall veſſels.—Peace was the reſult; ſalutes exchanged; and proviſion of every kind ſent from the ſhore and diſtributed among our ſhips. We ſhall now proceed againſt the Tripolines—our rendevous will be Malta. We expect to be reinforced in ſpring by the Congreſs and Eſſex frigates."

FOREIGN.

Capt. Greenman, who arrived at Providence on the 4th inſtant, informs, that he left Liſbon about the 24th Nov. At that time, an account was publiſhed in Liſbon papers, that a number of French gun-boats, with 6000 troops on board, having been manœvering on the coaſt of France, were cut off from the ſhore by ſome Britiſh frigates and cutters, when a deſperate action took place; many of the gun-boats were reported to have been ſunk, 4000 troops drowned, and 2000 captured and landed in England.—Captain Greenman adds, that betts were depending at Liſbon on the authenticity of this intelligence.

[*Commercial Advertiſer.*]

From Port Republican.

Capt. Dolby arrived at Philadelphia from Port Republican, which place he left the 19th ult. informs—that the blacks were levelling all the fortifications at Port Republican, and erecting nothing but wooden buildings, with the intention of ſetting fire to them, and retiring to their faſtneſſes in caſe the French ſhould at any future period meditate their ſubjugation. They compelled the whites, men, women, and children, to aſſiſt in theſe works.

It appears by the late accounts from Jamacia, that the remnant of the army of St. Domingo arrived there amounts only to about 3000 men. It is computed, that the French government, during the laſt eight years, has poured into that iſland at leaſt 60,000 men: it follows therefore, that 57,000 ſouls have been ſacrificed to a fruitleſs attempt to ſubjugate a colony which, in its moſt proſperous periods, yielded comparatively but little to the mother country. Men of feeling will hear of this with pity and indignation. The politician will aſſume it as a datum to calculate on the probability of future attempts of a ſimilar nature. The reduction of a few thouſand blacks has been conceived worth the deſtruction of a ſuperior number of whites. If in an enterpriſe of ſuch minor importance, ſo immenſe a ſacrifice is made, what will not be hazarded to effect the ſubjugation of a great, a rich, and exalted nation? Will not Bonaparte, in the vain hope of conquering Great Britain, ſmile at the deſtruction of one half of his ſubjects?

[*Phil. Gaz.*]

LONDON, NOVEMBER 12.

The Paris papers to the 2d inſt. ſtate, that Bonaparte had not then left the capital; but private advices ſtate his arrival on the coaſt on Tueſday laſt. A few days previous to the above date he went on board a gun boat on the Seine, and exerciſed the men in the manœuvres of invaſion; they had, as uſual, their knapſacks on their backs, and their muſkets ſlung to their ſides. It appears, however, that the Conſul has at length conſented not to riſk "his perſon and fortune" in the hopeleſs expedition againſt this country. According to private letters, the farcical ceremony of entreaty took place on the 27th ult. The hour of three on the 28th was appointed for the deputation from all the Conſtituted authorities to wait on him, and beſeech him not to hazard their proſperity and the welfare of the ſtate, by expoſing himſelf to the perils of the expedition. The eagerneſs and impatience of his friends and the legiſlative bodies, however, precipitated the *affecting* ſcene, and at 2 o'clock there was poſted on the walls of the Palais Royal the following placard:

"*St. Cloud, Oct. 27, 6 o'clock in the evening.*

"The country is ſaved once more—Bonaparte will not leave it."

The orators of the Senate, and the Tribunate, attempted in vain to addreſs the Firſt Conſul; their agitation, gentle ſouls, overcame them. One of theſe, (M. de Jancourt) incapable of giving expreſſion to his feelings, threw himſelf at the feet of the Conſul, and extended his arms towards him. Bonaparte ſprang forward, and folded him in his arms: A mixture of prayers, tears, and embraces ſucceeded. The Firſt Conſul began to be affected, and the ſcene terminated by his conceſſion to the wiſhes of the French nation! Such was the farcical ſcene exhibited on that truly ridiculous occaſion.

Literary Notice.

LIFE OF WASHINGTON.

Gentlemen in this vicinity, who feel diſpoſed to patronize this grand national work, have now an opportunity—the ſubſcriber being authorized to receive ſubſcriptions. Thoſe who wiſh to be poſſeſſed of this invaluable hiſtory, will do well to make early application, as the firſt volume is now in the preſs, and no ſubſcription will be received after the publication of this volume. The terms of ſubſcription may be ſeen in the Balance Advertiſer, or at the office of

HARRY CROSWELL.

Jan. 24th, 1804.

The Wreath.

NEW-YEAR'S ADDRESSES REVIEWED.

Connecticut Courant.

As our review of this address will be little more than a selection of some of its best passages, the *Wreath* appears to be its most appropriate place. The Hartford poets are celebrated for their new-year's effusions; and we think the address for the present season, far excels any former effort. It has, indeed, called forth the following compliment from a democratic editor of first-rate talents. "We "are always pleased with sterling wit and pungent "satire, wherever it may be found, and whatever "may be the subject.—We cannot therefore with-"hold our tribute of applause, from the anniversa-"ry Ode in the Connecticut Courant, entitled, "'SKETCHES OF THE TIMES.'—It is a legitimate "offspring of the sportive Muse, which brought "forth Hudibras and presided at the birth of Mc-"Fingal. Without approving the invective, or "subscribing to the political sentiments of the Au-"thor, we feel ourselves at liberty to laugh at his "wit, and to admire his genius."

After stating the "vast advantages" which result "from poets to mankind," in "reluming the fading fame of men" and "rearing their pyramid of glory," the poet proceeds—

And shall the great of modern days,
Fail of the meed of future praise?
Shall not remotest ages see
The lights of EIGHTEEN HUNDRED THREE?
Shall Jefferson, grown old and spleeny
In dudgeon quit his "*red Arena?*"
From fame "*occluded*," dark and dreary,
Plunge headlong into death's "*vast prairie?*"
Shall Johnny Randolph cease to bloom?
Shall Paine *reel* silent to the tomb?
Shall Gallatin unheaded stray
Adown Time's dark and cheerless way,
Without one friendly tongue to tell,
Who "*stop'd of government de veel?*"
Or Farmer Lincoln drag his name,
Thro' "*oppugnation*" up to fame?
Shall nought of Granger be rehears'd,
But that the *bag of wind* is burst?
Shall Fate's "*Recorder*" only say—
"*Cheetham and Dun were hang'd to day?*"
Justice forbid—Their names shall ring,
Till the last Poets cease to sing;
And tho' old Homer's spirit's fled,
Tho' Virgil's number'd with the dead;
Some genius fir'd with humbler lays,
Shall register their claim to praise,
To unborn Homers transmit down,
Their *memoranda* of renown.

But, as the weather grows severe,
We'll just survey the country here,
Pick up the patriots few that stray,
And drag their merits into day,
Mark how the *Rights of Man* are further'd,
Then spend the winter at the Southward.

And here, in erring reason's spite,
Mid storms of truth, and floods of light,
The *three* New-England States are found,
Firm on the Washingtonian ground.
See MASSACHUSETTS free, and bold,
Too proud, too STRONG to be controul'd—
She, who first spurn'd Britannia's sway,
And to fair Freedom led the way,
Prepares to re-assert her claim,
The *first* in numbers, wealth and fame.
NEW-HAMPSHIRE at her northern side,
By party teaz'd, in danger tried,
Throws every wave of faction back,
And gains new strength from each attack.
While on the south, undaunted, free,
'Gainst every foe arm'd cap-a-pie,
Unmov'd by threats, unaw'd by fears,
CONNECTICUT her front uprears.
On Democratic frontiers plac'd
By spirits base and foul disgrac'd,
Annoy'd by Jacobinic engines,
And doom'd to Governmental vengeance,
Strait on her course she firmly steers,
Nor gibes, nor tacks, nor scuds, nor veers.
Not the whole force they all can yield,
Can drive her veterans from the field.
The same pure, patriotic fires,
Which warm'd the bosoms of their Sires,
That generous, that effulgent flame,
Which glow'd in Winthrop's deathless name,
Unsullied through their bosoms runs,
Inspires and animates their Sons.

The poet next gives us a glowing *sketch* of the New-Haven Thanksgiving, to which he adds the following lines of consolation to Connecticut democrats:—

Poor souls—before this stubborn State,
To Democrats resigns its fate,
Your growth of timber must be shifted,
Your character from filth be lifted.
Will Freemen virtuous, just, and brave,
Of tempers firm, and manners grave,
To Freedom born, by Plenty fed,
By Trumbull and by Ellsworth led,
Bow down their necks to slavery's bands,
And trust themselves in Kirby's hands?
Shall Abraham Bishop guard their morals?
And Wolcott settle all their quarrels?

Leaving Connecticut, the poet turns to New-York, where he says "the Clinton band," Cheetham, Ambrose Spencer, &c. &c.

With swords, and staves, and whip, and spur,
Rush forth to war with Col. Burr.
So have I seen with fiery rage,
A Hawk and Snake in fight engage,
For such a combat nothing loth,
But wish'd the devil had them both.

Here too, with joy unmix'd we see,
Precept and practice both agree—
The Common Law, that awful code,
Contriv'd by Kings, and wrote in blood,
By Ambrose Spencer well applied,
Stings Harry Croswell's *Waspish hide.*
True, Democrats obtain'd their cause,
By railing at Sedition Laws;
But times are alter'd—they've succeeded,
And all the force of lies is needed;
Nor are they so far lost to sense,
As to take Truth for evidence.

Touching lightly upon New-Jersey, the poet next proceeds to Pennsylvania, where, with other "foreign rogues," the "Organ of the Public Will" cuts a conspicuous figure:—

Here from the fangs of Justice fled,
Bearing about a forfeit head—
That head which erst made dismal dole,
High mounted on "*Calcutta-pole,*"
When borne in state from door to door,
To break his fast with *Sir John Shore*—
The Presidential Bag-pipe lives,
And on the public treasure thrives.

[TO BE CONTINUED.]

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